



Application to set the required surrender amount for the first three quarters of the assessment year.

FORM

CER-RET-008

v1.2 31/03/2020

Under subsection 38AG(1) of the *Renewable Energy (Electricity) Act 2000*

Purpose of this form

Under subsection 38AG(1) of the *Renewable Energy (Electricity) Act 2000* (the Act), a liable entity that did not lodge an energy acquisition statement (EAS) for the previous year (e.g. a new liable entity) may apply to set their required surrender amount (RSA) for the first three quarters of the current assessment year. An application must propose an amount to apply as if it were the previous year's reduced acquisitions (PYRA) for the applicable quarter. If the Clean Energy Regulator determines an amount is to apply for a quarter, the amount determined will be used to calculate the liable entity's RSA for the applicable quarter of the assessment year.

A liable entity may make separate applications to propose different amounts for different quarters of the assessment year.

Eligibility

An application under subsection 38AG(1) of the Act in relation to an assessment year must be made on or before **31 December in that assessment year.**

To be eligible to use this form an entity must not have lodged an EAS for the previous assessment year before 1 April.

Before completing this form, the applicant should:

- Ensure the proposed amount meets the applicable requirements under the Act and the *Renewable Energy (Electricity) Regulations 2001* (the Regulations) and carefully consider the applicable provisions of the Act.
- Have made a relevant acquisition of electricity at any time during the current assessment year.
- Have notified the Clean Energy Regulator (if you are a new liable entity) as soon as the first relevant acquisition was made for the assessment year. Note that a small-scale technology shortfall charge becomes payable for a quarter where an entity was liable to surrender, but did not surrender the required number of STCs.
- Consider all relevant acquisitions of electricity including any future customer loads that may occur during the year. Also, you should consider any Emissions Intensive Trade Exposed (EITE) exemption certificates issued to your customers that conduct emissions intensive trade exposed activities in your forecast.

Instructions for completing this form

Please read each part of this form carefully, fully answer all the questions, sign where indicated, and attach the required documentation.

You must complete and submit all parts of this form.

You can choose to complete this form by:

- printing the form and filling it in by hand, or
- saving the form and filling in an electronic copy.

Note that if you choose the second option, there may be times when you will need to print certain sections in order to sign them or in order to fill out multiple entries for a single set of questions. These sections may be scanned and submitted electronically with the rest of the form.

Pen colours	Please use a black or blue pen to write on the form.
Check boxes	Mark boxes like this <input type="checkbox"/> with a ✓ or X . When an instruction asks you to 'tick' the box, you can still use either ✓ or X .
Go to	Where you see an instruction like this - <input type="checkbox"/> Go to question 5 - mark the relevant box with a ✓ or X and then skip to the question number shown. You do not need to answer the question(s) in between. Where an instruction has a black double arrow (▶▶), go to the next indicated part/section. Where an instruction has a black single arrow (▶), go to the next question. Where an instruction has a black single arrow pointing down (▼), fill in the field(s) directly below.
Mandatory questions	If all fields in a question are mandatory and must be completed, (required) is added to the end of the question label text. If a field in a question is mandatory only IF a condition is met, (required if any) is added to the end of the question label text.
▶	This symbol indicates an instruction on what to do next.
①	This symbol indicates additional useful guidance to filling in the adjacent field or section.
📄	This symbol advises that more than one entry may be required for the section and therefore you may need to photocopy or print the section or fill in a duplicate section.
📎	This symbol advises that additional documentation to support a claim may need to be attached to the application.
Duplex printing	This form is designed to be duplex printed to save on paper. All new sections start on the right-hand side of a page spread.

Help filling in this form

If you require assistance or have any questions about completing this form, or the application process for having an amount apply as if it were the previous year's reduced acquisitions, contact the Clean Energy Regulator on 1300 553 542 or email RETliability@cleanenergyregulator.gov.au

Submitting this form

This form must be lodged before **31 December of the assessment year**. Please email your scanned, completed application to the Clean Energy Regulator at RETliability@cleanenergyregulator.gov.au

If the email and its attachments (the application and supporting documents) are larger than 10MB, they must be sent using multiple emails that are clearly marked (i.e. by including an identifier in the subject line, e.g. '1 of 3', '2 of 3', '3 of 3'). The signed application form must be saved as a single scanned file and not split into parts. Files may be zipped to reduce their size.

A signed copy of this form should be kept for your records.

Office use:

Part A: Company details

Company details

- i** The company name must be the same as the legal entity that is liable under the Act and be consistent with Australian Business Register (ABR) and Australian Securities and Investments Commission (ASIC) records.
- i** Apply for a [REC Registry account](#)¹ from the 'Apply for an account' tab. To obtain liability functionality select the 'Liable entity' check box, and contact the Clean Energy Regulator at RETLiability@cleanenergyregulator.gov.au.

1. Have you applied for a liable entity REC Registry account?

Yes Provide the company name and ABN/ACN below. ▶

No Apply for a REC Registry account and ensure you have selected the 'Liable entity' account type. Provide the company name and ABN/ACN below. ▶

2. Company name (required)

Company name	<input type="text"/>
ABN	<input type="text"/>
ACN	<input type="text"/>

3. Head office street address (required)

Address line 1	<input type="text"/>
Address line 2	<input type="text"/>
Suburb/city	<input type="text"/>
State/territory	<input type="text"/>
Postcode	<input type="text"/>

4. Postal address (required)

▶ Is the postal address the same as the head office street address provided above?

Yes Go to question 5. ▶

No Provide the address details. ▶

Address line 1	<input type="text"/>
Address line 2	<input type="text"/>
Suburb/city	<input type="text"/>
State/territory	<input type="text"/>
Postcode	<input type="text"/>

Contact person details

5. Primary contact (required)

- ▶ Provide the details of a person who the Clean Energy Regulator may contact to seek clarification of information as provided in this form during the assessment process.

First name	
Last name	


- ▶ Are you a user of the company's REC Registry Account?

Yes Ensure your contact details are correct in the REC Registry. ▶

No Talk to your Account Administrator to gain access to the company's REC Registry account. ▼

Position	
Primary contact number	
Email address	

- ▶ Do you have all relevant permissions for liability purposes selected in your REC Registry user account?

 *You must have business area contacts, event driven emails and broadcast emails for liable entities permissions selected in your user account for the application to progress.*

Yes Ensure your user permissions are correct in the REC Registry before you go to **question 6**. ▶

No Request your account administrator update your user permissions to enable a seamless application process.

6. CEO or equivalent

- ▶ Provide the details of the Chief Executive Officer (CEO) or equivalent

First name	
Last name	

Part B: Proposed amount

7. Specify the assessment year this application relates to (required)

i The assessment year is the current calendar year.

Assessment year

8. Have you previously made an application under section 38AG(1) for this assessment year (required)?

Yes Detail the quarters where you have made another application. ▶

No Go to question 9.

Details

9. When did you make your first relevant acquisition of electricity and become liable under the Act?

Details

10. Specify your proposed amount (in MWh) which will be used to calculate your required surrender amount for quarter 1, 2 and/or 3 for the assessment year (required)

i This information is required under subsection 38AG(1) of the Act for the purpose of applying subsection 38AE(1), (2) or (3) of the Act to a quarter of the assessment year.

i Your proposed amount should be your best estimate of four times the amount of your reduced acquisitions for the relevant quarter at the time of this application.

i Reduced acquisitions for a quarter is relevant acquisitions of electricity for the quarter minus EITE exemption amount (pro-rated for a quarter – rounded to the nearest whole number) (if any).

▶ Do you want to propose an amount for quarter 1 of the assessment year?

Yes Calculate your proposed amount (in MWh) to apply to quarter 1 of the assessment year. ▶

No

i Specify the amount of electricity acquired/forecasted minus any EITE exemption (pro-rated) for quarter 1 (electricity acquired between 1 January to 31 March), and multiply it by four to get the proposed amount.

i The required surrender amount for quarter 1 will be calculated on 35 per cent of the proposed amount multiplied by the small-scale technology percentage (STP).

i The STP is set under regulation 23A of the Regulations or can be found on the [Clean Energy Regulator website](#).

Estimate of reduced acquisition for Q1	<input type="text"/>	MWh	Multiplied by 4 =	Proposed amount	<input type="text"/>	MWh
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▶ Do you want to propose an amount for quarter 2 of the assessment year

Yes Calculate your proposed amount (in MWh) to apply to quarter 2 of the assessment year. ▶

No

i Specify the amount of electricity acquired/forecasted minus any EITE exemption amount (pro-rated) for quarter 2 (electricity acquired between 1 April to 30 June), and multiply it by four to get the proposed amount.

i The required surrender amount for quarter 2 will be calculated at 25 per cent of the proposed amount multiplied by the small-scale technology percentage (STP).

i The STP is set under regulation 23A of the Regulations or can be found on the [Clean Energy Regulator website](#).

Estimate of reduced acquisition for Q2	<input type="text"/>	MWh	Multiplied by 4 =	Proposed amount	<input type="text"/>	MWh
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▶ Do you want to propose an amount for quarter 3 of the assessment year?

Yes Calculate your proposed amount (in MWh) to apply to quarter 3 of the assessment year. ▶

No Go to **question 11**.

i Specify the amount of electricity acquired/forecasted minus any EITE exemption amount (pro-rated) for quarter 3 (electricity acquired between 1 July to 30 September), and multiply it by four to get the proposed amount.

i The required surrender amount for quarter 3 will be calculated at 25 per cent of the proposed amount multiplied by the small-scale technology percentage (STP).

i The STP is set under regulation 23A of the Regulations or can be found on the Clean Energy Regulator website.

Estimate of reduced acquisition for Q3	<input type="text"/>	MWh	Multiplied by 4 =	Proposed amount	<input type="text"/>	MWh
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11. Provide reasons for choosing the proposed amount for quarters 1, 2 and/or 3 (required)

i This information is required under paragraph 22ZY(2)(a) of the Regulations. Include as much detail as possible to allow for a prompt validation process.

▶ Provide reasons for choosing the proposed amount for quarter 1

Reasons	<input type="text"/>
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▶ Provide reasons for choosing the proposed amount for quarter 2

Reasons	<input type="text"/>
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▶ Provide reasons for choosing the proposed amount for quarter 3

Reasons	<input type="text"/>
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12. Set out any factors the liable entity is aware of, that could result in the amount of reduced acquisitions for the relevant quarter being more, or less, than the proposed amount for that quarter (required).

i This information is required under paragraph 22ZY(2)(e) of the Regulations. Include as much detail as possible to allow for a prompt validation process.

▶ Set out any factors for quarter 1, if a proposed amount has been nominated.

Explanation	<input type="text"/>
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▶ Set out any factors for quarter 2, if a proposed amount has been nominated.

Explanation	<input type="text"/>
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▶ Set out any factors for quarter 3, if a proposed amount has been nominated.

Explanation	<input type="text"/>
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13. Provide a statement that the proposed amount is the best estimate of the liable entity's reduced acquisitions for the relevant quarters at the time of this application (required).

i This information is required under paragraph 22ZY(2)(b) of the Regulations.

i The statement must be made by a person with responsibility for the liable entity's compliance with the Act.

- ⓘ This statement should cover each proposed amount that has been applied for in this application.
- ⓘ This should include a description of how the liable entity is liable for relevant acquisitions under the Act and any supporting calculations. Include as much detail as possible to allow for a prompt validation process.

Statement	
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14. Specify whether you have been provided any exemption certificates from your EITE customers that have been used to calculate your reduced acquisitions for the quarters of the assessment year.

- Yes Tick the box below to verify that you have attached the listed supporting documentation to this application. ▶
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- No Go to question 15. ▼

ⓘ You must attach evidence of EITE exemption if you have factored them into your proposed amount.

▶ Evidence	Copies of exemption certificates used to calculate reduced acquisitions for the quarters of the assessment year.	Attached <input type="checkbox"/>
▶ Evidence	Provide a summary of total relevant acquisitions provided to your EITE customers for the assessment year, to the date of this application being submitted.	Attached <input type="checkbox"/>
▶ Evidence	Provide a forecast of total relevant acquisitions to be provided to your EITE customers for the remainder of the assessment year.	Attached <input type="checkbox"/>

15. Set out an estimate of the total amount of relevant acquisitions made by the liable entity in the current assessment year before lodgment of this application (required).

- ⓘ This is the amount of relevant acquisitions made between 1 January (of the current year) and the date of submitting this application.
- ⓘ This information is required under paragraph 22ZY(2)(c) of the Regulations.

Statement		MWh
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16. Specify whether there is any quarter in which the liable entity has not, or is not likely to, make any relevant acquisitions (required).

ⓘ This information is required under paragraph (22ZY(2)(d)) of the Regulations.

Quarters	
Reasons	

Declaration

I declare that:

- a) I am authorised to complete and lodge this application on behalf of the liable entity;
- b) the information contained in this application is true and correct;
- c) records that demonstrate the accuracy of the information provided in this application have been retained and can be provided to the Clean Energy Regulator on request;
- d) I have kept a completed copy of this application form for the liable entity's records; and
- e) I have responsibility for the liable entity's compliance with the *Renewable Energy (Electricity) Act 2000*.

By signing below, the signatory

- f) declares that the information supplied in this form is true and correct and that he/she is authorised to make this application on behalf of the applicant named in the form;
- g) acknowledges that giving false or misleading information is a serious offence and carries penalties under the *Criminal Code Act 1995*; and
- h) acknowledges that the Clean Energy Regulator may, by written notice, request further information in relation to this application to be provided to the Clean Energy Regulator within the period specified in the notice. If the liable entity fails to provide the requested information within the specified period, the Clean Energy Regulator may, by written notice, refuse to consider this application or refuse to take any further action in relation to this application.

Full name	
Title/position	
Organisation	
Signature	

	Day (dd)	Month (mm)	Year (yyyy)
Signature date			

Additional information

Definitions

Term	Definition
the Act	<i>Renewable Energy (Electricity) Act 2000</i>
Assessment year	The period, over which each annual target must be achieved, which is a full calendar year and relates to the surrender of certificates by liable entities
AYRA	Assessment Year's Reduced Acquisition
EAS	Energy Acquisition Statement
EC	Exemption Certificate
EITE	Emissions Intensive Trade Exposed
Liability	The obligation to surrender certificates or pay a renewable energy shortfall charge by liable entities
Liable entity	A person who during the year makes a relevant acquisition under the RET scheme
LGC	Large-Scale Generation Certificate
LRET	Large-scale Renewable Energy Target
PYRA	Previous Year's Reduced Acquisition - This is used to determine a liable entity's required surrender amount for quarters 1 to 3
RSA	Required Surrender Amount – Liable entities use RSA to determine the number of STCs they are required to surrender for quarters 1 to 3.
RET	Renewable Energy Target
SRES	Small-scale Renewable Energy Scheme
STC	Small-scale Technology Certificates
STP	Small-scale Technology Percentage

Assessment of the application

The Clean Energy Regulator will:

- Send an acknowledgement email confirming receipt of the application, and
- process the applications in a timely manner.

It may take up to four weeks from date of receipt to process applications, depending on whether additional information is required.

Protection of information

The Clean Energy Regulator is bound by the secrecy provisions in Part 3 of the *Clean Energy Regulator Act 2011* and by the *Privacy Act 1988*.

Privacy statement

'Personal information', as defined in the *Privacy Act 1988*, means any information from which a person's identity is apparent or can be reasonably ascertained.

Personal information collected in relation to this application will be used for the purpose of assessing the application, auditing compliance, enforcement of relevant laws and regulations and for related purposes. The collection of personal information is authorised by the *Clean Energy Regulator Act 2011* and/or other relevant Act(s).

Disclosure of information

The Clean Energy Regulator and authorised staff are only able to disclose information relating to the affairs of a person (including personal information) collected in relation to this application in accordance with the *Clean Energy Regulator Act 2011* or as otherwise required by law.

Part 3 of the *Clean Energy Regulator Act 2011* prevents disclosure of relevant information except in circumstances set out in that Part. Those circumstances include:

- disclosure for the purposes of a climate change law
- disclosure to the Minister
- disclosure of summaries or statistics if those summaries or statistics are not likely to enable the identification of a person
- disclosure to certain bodies where the Chair of the Clean Energy Regulator is satisfied that disclosure will assist those bodies in the performance of their functions or powers, including the Australian Securities and Investment Commission, and the Australian Competition and Consumer Commission, and
- disclosure for the purposes of enforcement of the criminal law, enforcement of a law imposing a pecuniary penalty or for protection of the public revenue, if the Chair of the Clean Energy Regulator is satisfied that disclosure is reasonably necessary for such purpose.

Accessibility disclaimer

The Clean Energy Regulator has worked to ensure that this document is accessible but please contact us to obtain an alternative version if you are having difficulty or you have specific accessibility needs. Please call **1300 553 542** or email the name of the form and your needs to enquiries@cleanenergyregulator.gov.au.